EXPLANATION OF

36

فروع الفقه

Ibn al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and Da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

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بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والصلاة والسلام على أشرف الأنبياء والمرسلين، سيدنا ونبينا محمد،

وعلى آله وصحبه أجمعين، اما بعد:

Recap

Last class we began on the topic of the Nullifiers of Ghusl or the Causes of Ghusl after we completed the Nullifiers of Wudū'. The author رحمه الله تعالى said,

وَفِي الطَّهَارَةِ الْكُبْرَىٰ سِتَّةٌ

"For major impurity there's six…" Six what? Six nullifiers. The first one, he mentioned

المنيُّ الدَّافِقُ بِلَذَّةٍ

The discharge of sperm with strength, combined with lust and desire. So the first one, in summary, is the Manīyy, the sperm, strongly discharging in desire. We said we're going to break that into two categories: the discharge of Manīyy while one is awake, which is what we completed last class Alhamdulillāh, and then while one is asleep. Last class we completed the Masā'il, or the scenarios, on the discharge of Manīyy while one is awake. And the scenarios were, number one, if Manīyy gushes forth with desire and

lust in any way, Ghusl is Wājib by Ijmā'. That's the statement of the author and it's accurate according to all the Madhāhib. المنيُّ الدَّافِقُ بِلَذَّةٍ.

The second Mas'alah or scenario is that Ghusl is not required when Manīyy is discharged while one is awake if it's not combined with spurting, lust, and desire. That's disputed, but that's the Rājih.

The third scenario, if someone made Ghusl from ejaculating with desire, then after the Ghusl they saw more discharge of Manīyy — after the Ghusl, the discharge was without gushing and without desire — the ruling on that is that the second Ghusl is not required. All that's required is washing the private parts and Wudū'.

Now, today inshā'Allāh we'll start on the second category which is the discharge of Manīyy while one is sleeping.

1. The first scenario is when a male or female have a wet dream, but they see no discharge. They had a wet dream, but there was no discharge, and they're sure there was no discharge. The dream consisted of, for example, something lustful like having a relationship or intercourse, but when they woke up, they saw no discharge. There was no Manīyy, there was no semen. They may have even felt a discharge of Manīyy in the dream, but there was no actual physical discharge of Manīyy when they woke up. The ruling on that is that Ghusl is not required according to all four of the Madhāhib. Ibn Al-Mundhir and Ibn 'Abd Al-Barr even

related an Ijmā' on that. Why? Because there's a famous Hadīth on this matter and we'll repeat it often insha'Allāh. It's the Hadīth in Sahīh Al-Bukhāri and Muslim, Hadīth Umm Sulaym رضي الله عنها. Umm Sulaym asked the Messenger ﷺ,

قَالَتْ: يَا رَسُولَ اللَّهِ، إِنَّ اللَّهَ لاَ يَسْتَحْيِي مِنَ الْحَقِّ، هَلْ عَلَى الْمَرْأَةِ مِنْ غُسْلٍ إِذَا هِيَ احْتَلَمَتْ؟ فَقَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم: نَعَمْ إِذَا رَأَتِ الْمَاءَ

She asked the Messenger ﷺ, "Does a woman have to take a bath, a Ghusl, if she has a wet dream?" And the Messenger ﷺ gave a ruling, نَعَمْ إِذَا رَأَتِ الْمَاءَ . Literally that translates into, "Yes, if she sees the water." But the meaning of it is, "Yes, if she sees the Manīyy. Yes if she sees the semen." The scenario we mentioned is when a male or female have a wet dream but see no discharge. The proof here, the Hadīth, is used to state that if she has a wet dream — and a man takes the same ruling — but they don't see a discharge, then Ghusl is not obligated on them because the Messenger ﷺ said, "If she sees the Manīyy," and here they didn't.

II. The second scenario — second scenario for what? For the discharge of Manīyy while one is sleeping. The scenario is someone wakes up from their sleep and they see a discharge of Manīyy, and they're *sure* it's Manīyy? They must perform the Ghusl. The ruling is they must perform the Ghusl. There is even an Ijmā' on that related by many Ulamā' like Ibn Taymiyyah and Ibn Hazm and Ibn 'Abd Al-Barr and Ibn Qudāmah and An-Nawawi. They related an Ijmā' on this matter, consensus. And also, Hadīth Umm Sulaym is clear on it: إِذَا رَأَتِ الْمَاءَ — he ﷺ told

her, إِذَا رَأَتِ الْمَاءَ, "If one sees the Manīyy, then Ghusl is required." And that applies in this scenario.

III. The third scenario, they wake up to see that there's a discharge of Manīyy. They're sure it's Manīyy, like the previous scenario, but what's different here is that they *don't* remember a wet dream. If they don't remember a wet dream and they wake up to see a discharge of Manīyy, they must do Ghusl. And there's an Ijmā' related by Al-Hattāb and Ibn Qudāmah on this matter, among other Ulamā'.

In the scenario we took in the last class, pertaining to one who's awake, we said to necessitate Ghusl it would have to دافق بلذة, it would have to gush with desire. It's different in sleep. دافق بلذة, gushing with desire, is a stipulation to the requirement of one doing Ghusl while they're awake, but it's not a stipulation for one who is sleeping. The reason for that is that during sleep a person may not feel the lust. Generally, the Ghālib is that the discharge in wet dreams is with lust, so we go by that, because a person doesn't know his own status due to his condition of sleeping. Generally, the discharge of Manīyy when one is sleeping is usually with or from desire, but one may not feel it or remember it because of his sleep, so we go by the general rule. Ghusl is required from a wet dream if they see the Manīyy, whether it's just discharge with lust and desire or without it, whether one remembers anything of the dream or doesn't. So long as one wakes up and is certain there's a discharge of Manīyy, Ghusl is Wājib. The proof is Hadīth Umm Sulaym رضي الله عنها, نَعَمْ إِذَا رَأَتِ الْمَاء . The Messenger gave the ruling requiring Ghusl if one sees the discharge of Manīyy. The only requirement mentioned when one is sleeping and they have a discharge is that they see the Manīyy, and that's applicable here.

IV. The next scenario, one is positively sure it's Madhiy, not Manīyy. They're sure what was discharged when they were sleeping is Madhiy — and this one is disputed.

- The first opinion is the opinion of Abu Hanīfah that Ghusl is Wājib. They said over time, the features of Manīyy begin to resemble Madhiy, so Manīyy begins to look like Madhiy. The Ulamā' who oppose them ask, "How can you require Ghusl from the discharge of Madhiy when there's absolutely no proof that Ghusl is Wājib from the discharge of Madhiy?" In fact, proof indicates that all that's required from the discharge of Madhiy is that one washes his private parts and performs Wudū'. The Ahnāf responded to that and said we do not require Ghusl from the discharge of Madhiy when one is sleeping, if one is *absolutely sure* it's Madhiy there's no Ghusl required. But what we're saying is that being absolutely sure that discharge was Madhiy is something that's impossible, especially for that person who's sleeping. They said if one is positively sure it's Madhiy, no Ghusl is required. But it's impossible for that person who was sleeping to know that for sure. They said the features of Manīyy after some time begin to look like Madhiy. So what was released could have been Manīyy and by the time someone woke up to see it, it was resembling Madhiy. Some within the Madhab of the Ahnāf made a stipulation, like Abu Yusūf رحمه الله تعالى. He said, "If one recalls a wet dream and then wakes up, they do Ghusl from the Madhiy, if they see it's Madhiy, otherwise Ghusl is not required."

- The second opinion, and this is on one finding out that they discharged Madhiy, *not* Manīyy. The majority of the Ulamā', and among them is the Mālikīyyah and the Hanābilah, they said that Ghusl is not required if one is positively sure the discharge was Madhiy. And contrary to what Abu Yusūf رحمه الله تعالى said earlier, the Ulamā' here said, "And it doesn't matter if one remembers a wet dream or doesn't."

Ar-Rājih

This (second opinion) is the correct opinion. The proof is clear. The burden of proof is on the one who claims the discharge of Madhiy in sleep is a cause for Ghusl. In this case it's the Ahnāf who said that, and it's because of their claim that one can never be sure it's Madhiy. There's no clear, direct proof requiring Ghusl from the discharge of Madhiy when one is sleeping. On top of there not being any proof on that, the proof is that all one has to do from the discharge of Madhiy is wash their private parts and perform Wudū'. There's no proof for what they claim and on top of that there's proof against what they claim. The correct opinion is if one is positively sure what was discharged was Madhiy during their sleep, they're sure it's Madhiy and they're sure it's not Manīyy that over time began to look like Madhiy, then no Ghusl is required on them.

V. The next scenario is when someone sees a wetness but doesn't know if it's Madhiy or Manīyy. They're in doubt.

- The first opinion is the opinion of the Mālikīyyah and the Ahnāf that one must do Ghusl. If they doubt it's Manīyy or Madhiy, regardless of whether they remember a wet dream or not, they must do the Ghusl. Abu Yusūf رحمه الله تعالى deferred slightly and made a stipulation. He said if one does not remember a wet dream, he does not need to do Ghusl.

- The second opinion is the opinion of the majority of the Ulamā', and among them is the Shāfi'īyyah, some of the Hanafīyyah, some of the Mālikīyyah, some of the Hanābilah, Ibn Qudāmah chose it and he attributed this opinion to Qatādah and Mujāhid, Al-Baghawi said it's the opinion of the overwhelming majority of the Ulamā', that Ghusl is not required when one doubts whether it's Manīyy or Madhiy, and the proof they used is Hadīth Umm Sulaym. Hadīth we mentioned many times. Umm Sulaym رضي الله عنها asked the Messenger ﷺ and the Messenger ﷺ said, نَعَمْ إِذَا رَأَتِ الْمَاءَ . But how is that proof here? إِذَا رَأَتِ الْمَاءَ — you do Ghusl if you see Manīyy or semen. They said the Ghusl is only required if one sees Manīyy. Ghusl is only required if one sees Manīyy, and they have to be sure that it's Manīyy, not when they doubt it. So when one doubts if it's Manīyy or Madhiy, Ghusl is not Wājib.

  A second proof after Hadīth Umm Sulaym رضي الله عنها is something we took previously. They said one is pure, one is Tāhir from major impurity by certainty and therefore Ghusl cannot be imposed upon him through doubts. It's taken from the rule that we took some time ago, اليقين لا يزول بالشك — doubts don't remove certainty. Yaqīn that one is *not* under major impurity does not get removed by doubts. That's the second opinion.

- The third opinion is an opinion mentioned by some of the Hanābilah and Al-Buhūti mentioned it in Al-Rawd Al-Murbi' and it's also mentioned in Al-Insāf and it's probably the popular opinion of the Hanābilah on this matter. They said if one wakes up to wetness on his clothes, and they're confused and in doubt whether it's Madhiy or Manīyy, they said if prior to sleeping the individual was engaged in some type of playfulness, like playfulness with the wife, or lustful glancing, or thoughts, or touching, then Ghusl is not Wājib. If prior to sleeping, he was *not* engaged in playfulness or lustful touching or thoughts or glancing or matters of that nature, then Ghusl *is* Wājib. What's the rationale for this? They said if one was engaged in some type of playfulness or lustful thoughts, that would give weight into that wetness being Madhiy released due to that. If none of that occurred before sleep, then Ghusl is required.

- The final opinion, the fourth opinion on this matter, is the opinion of some of the Shāfi'īyyah and An-Nawawi رحمه الله تعالى chose it. They said if one doubts whether it's Madhiy or Manīyy, he chooses one of them and goes along with its rulings. Meaning, he chooses Manīyy, he does a Ghusl. He chooses Madhiy, he washes himself and does Wudū'. This opinion of the Shāfi'īyyah could have fell under the opinion of the majority of the Ulamā' who said that Ghusl is not required, but I mentioned it separately because of the choice they gave. Why would this — or could this — fall under the opinion of the Ulamā' who don't require Ghusl? Because if they required Ghusl and considered Ghusl a Wājib in this scenario, they

wouldn't give the person the pick and choose over Madhiy or Manīyy, they wouldn't say pick and choose either one of them.

Some may get lost because of the details we mentioned, so let me mention the opinions of the Ulamā' again. The first opinion is that one must do Ghusl. The second opinion is Ghusl is not required. The third opinion is if prior to sleep one was engaged in some type of lustful thinking or touching, then Ghusl is not Wājib, otherwise it is Wājib. The fourth opinion is one can pick and choose whether it's many or Madhiy, and go along with the ruling of what they choose.

Ar-Rājih

The opinion of the majority, not requiring Ghusl, is very strong because of the Hadīth and how they used it, and also because of the rule that we took and we explained it, الأصل براءة الذمة. But what gives some weight and strength to the opinion that one should do Ghusl is that Manīyy over time begins to look like Madhiy, and Manīyy is the origin of what's usually discharged when one is sleeping, with Madhiy being very rare and exceptional. So in this scenario, it's probably safer to get out of the dispute and perform Ghusl, but I don't think it would reach the level of being a Wājib.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم